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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,577	12/18/2001	Naotaka Hanai	01227	5700

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DENNISON, SCHEINER & SCHULTZ
Suite 612
1745 Jefferson Davis Highway
Arlington, VA 22202

EXAMINER

A, PHI DIEU TRAN

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,577

Applicant(s)

HANAI ET AL.

Examiner

Phi D A

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 46 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

“sealing lip that extends toward a vehicle body...mounted on the vehicle body” is indefinite. The claim is to a panel. Thus, the relationship between the panel and the vehicle body must be claimed as subcombination, not combination.

1. PRODUCT BY PROCESS CLAIM:

“ The subject matter present in claims 24-27 is regarded as a product by process claim in which a product is introduced by the method in which it is made. It is the general practice of this office to examine the final product described regardless of the method provided by the applicant.”

The limitations “ in situ”, and “extruding a molten or substantially liquid molding material” are Product By Process limitations, and thus treated accordingly to the above office policy.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claims 24-26, 29-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mozawa et al (5197243) in view of Adler et al (3802143).

Mozawa et al (figure 2) shows a panel unit comprising a panel (1) comprising glass or resin, an in situ formed molding (5) formed along a peripheral edge of the panel having an extension that partially covers an outer surface of the panel and an end surface of the extension is inclined at an obtuse angle relative to the panel outer surface (the end surface to the right of part 3c), a cover tape (9) disposed between the extension of the molding and the panel surface, the tape disposed on the panel substantially adjacent to the molding (5), the panel comprising a transparent glass pane, the molding is formed along a peripheral edge of the glass pane, the panel comprising a laminated glass pane that constructed from two glass plates (2a, 2b) and a transparent resin (4) sheet that is interleaved therebetween, the molding is formed along an upper peripheral edge of the glass pane or the laminated glass pane, the molding body having an extension that partially covers an outer surface of the panel, the extension having a cutting surface formed thereon, the cover tap (9) is interleaved between the extension and panel outer surface, the cover tap having a cutting surface formed thereon, the cutting surface aligns with a cutting surface of the extension (the cutting surface being at the edge of the extension), a peripheral edge of an inner surface of the glass pane is coated with a substantially opaque frit layer (7), an inner wall portion of the molding body is bonded to the frit layer via an adhesive layer, the flush extending from the side wall portion toward the panel outer surface beyond the outer peripheral edge, the peripheral edge of the side wall portion is flush with the panel outer surface.

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Mozawa et al does not show the panel having at least an outer chamfered portion along its periphery.

Adler et al shows a panel (3) having at least an outer chamfered portion along its periphery to avoid a sharp corner edge contacting the molding.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Mozawa et al to show the panel having at least an outer chamfered portion along its periphery because the chamfered portion would enable the panel to avoid contacts between the panel and the molding with a sharp corner as taught by Adler et al, and the chamfered portion would perform the same function as that of Mozawa et al's rounded corner to avoid contact between the panel and the molding with sharp edges.

Per claim 25, Mozawa et al as modified shows all the claimed limitations except for the tape having a thickness of about 0.03 to 1.0 mm and comprising a first layer comprising a synthetic resin and a second layer comprising a removable self-adhesive material.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Mozawa et al's modified structure to show the tape having a thickness of about 0.03 to 1.0 mm and comprising a first layer comprising a synthetic resin and a second layer comprising a removable self-adhesive material because having the tape made of a synthetic resin layer and a self-adhesive material layer would enable the easy attaching and removing of the tape from the surface of the panel (1), and having the thickness of the tape of about 0.03 to 1.0mm would enable the tape to be easily inserted within opening of the molding (7, figure 8) while creating a opaque layer on the rear peripheral surface of the pane to block the visibility of the window plate from the outside (col 5 lines 5-9).

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Per claims 33-34, Mozawa et al as modified by Adler et al shows the glass pane being circumferentially chamfered along its periphery so as to form an outer chamfered portion that corresponds to an outer surface of the glass pane or the laminated glass pane, the periphery edge of the molding substantially aligns with an outer peripheral edge of the outer chamfered portion.

Per claims 39-40, Mozawa et al as modified shows all the claimed limitations except for the adhesive being hot melt adhesive.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Mozawa et al's modified structure to show the adhesive being hot melt adhesive because hot melt adhesive is a well known adhesive for adhering mating surfaces together and readily available.

3. Claims 28, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mozawa et al (5197243) in view of Adler et al (3802143).

Mozawa et al as modified shows all the claimed limitations except for the sealing lip being formed of a more elastic material than the molding body.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Mozawa et al's modified structure to show the sealing lip being formed of a more elastic material than the molding body because having a more elastic sealing lip would enable the lip to easily flex and mate with panel wall to seal the panel.

4. Claims 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endoh et al (4894972) in view of Adler et al (3802143).

Endoh et al (figure 3) shows a panel unit comprising a panel (14), an in situ formed molding (16) formed along a peripheral edge of the panel (the molding is formed after the die

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comes together with the tape and thus adjacent to the tape), a cover tape (42) disposed on the outer panel surface substantially adjacent to the formed molding.

Endoh et al does not show the panel having at least an outer chamfered portion along its periphery.

Adler et al shows a panel (3) having at least an outer chamfered portion along its periphery to avoid a sharp corner edge contacting the molding.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Endoh et al's modified structure to show the panel having at least an outer chamfered portion along its periphery because the chamfered portion would enable the panel to avoid contacts between the panel and the molding with a sharp corner as taught by Adler et al.

Per claim 27, Endoh et al as modified does not show the tape having a width between about 1-5 centimeters and a thickness of about 0.03 to 1.0mm and comprising a first layer of synthetic resin and a second layer comprising a removable self-adhesive material.

Endoh et al (col 7 lines 51-55) discloses the tape being fluororesion, fluororubber, silicone resion, silicone rubber, and other resilient plastics, the tape being in the form of solid, foam, hollow body or combined body.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Endoh et al's modified structure to show the tape having a width between about 1-5 centimeters and a thickness of about 0.03 to 1.0 mm and comprising a first layer comprising a synthetic resin and a second layer comprising a removable self-adhesive material because having the tape made of a synthetic resin layer and a self-adhesive material layer would enable the easy attaching and removing of the tape from the surface of the panel (10), and the

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tape having a width between about 1-5 centimeters and the thickness of the tape of about 0.03 to 1.0mm would enable the tape to be easily inserted within opening of the molding while creating a opaque layer on the rear peripheral surface of the pane to block the visibility of the window plate from the outside.

Response to Arguments

5. Applicant's arguments with respect to claims 24-46 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art shows different panel designs.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 703-306-9136. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Phi Dieu Tran A
December 15, 2003

PA

LANNA MAI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Lanna Mai